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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No.: Sprint 1811)

Re Application of:

Von K. McConnell *esm*

Serial No.: 10/071,833

Filed: February 7, 2002

For: Method and System for Facilitating Services )  
in a Communication Network Through )  
Data-Publication by a Signaling Server )

Art Unit: 2151

Examiner: TBA

RECEIVED

MAY 13 2003

OFFICE OF PETITIONS

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL LETTER**

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- A. Petition to Revive Under 37 C.F.R. § 1.137(b);
- B. Tabs A-B; and
- C. Return Receipt Postcard.

2. With respect to additional fees, attached is a check in the amount of \$1300.00 to cover the petition fee for an unintentionally abandoned application.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned also hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 on this 9<sup>th</sup> day of May, 2003.

By:

*Lawrence H. Aaronson*

Lawrence H. Aaronson  
Reg. No. 35,818



#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No.: Sprint 1811)

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Von K. McConnell )  
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**PETITION TO REVIVE**  
**UNDER 37 C.F.R. § 1.137(b)**

Dear Sir:

Applicant has not received a Notice of Abandonment from the Office and believes that he has fully complied with the Rules and Regulations of the Office. However, pursuant to the prepublication notice entitled "Reminder that Rescission of a Nonpublication Request is Not Itself a Notice of Foreign Filing" posted on the Patent Office Web site on April 16, 2003, it appears that the above-captioned application may be deemed abandoned if this prepublication notice is given retroactive effect by the Office. Therefore, out of an abundance of caution, Applicant submits this petition to revive in case the application is deemed to have been abandoned under 37 C.F.R. § 1.213(c).

Pursuant to 37 C.F.R. § 1.213(a), Applicant submitted a request for nonpublication with this application upon filing.

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01 FC:1453 1300.00 OP

Applicant subsequently filed a corresponding international application with the U.S. Patent and Trademark Office as PCT Receiving Office, which is identified on the Notice attached hereto at Tab A. Within 45 days of the international filing, Applicant filed a Request to Rescind Previous Nonpublication, a copy of which is submitted herewith at Tab B.

Applicant believes that its filing of the Request to Rescind Previous Nonpublication within 45 days of the international filing constituted full compliance with 37 C.F.R. § 1.213(c), based on the note in Form PTO/SB/36 (10-01 version) explaining generally that "filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii)." However, the April 16, 2003, prepublication notice now suggests that the Patent Office might not consider a Request to Rescind, in and of itself, to constitute sufficient notice of foreign or international filing.

In addition, Applicant believes that the act of filing the international application with the U.S. Patent and Trademark Office as PCT Receiving Office constituted notice to the U.S. Patent and Trademark Office of the international filing, as required by 37 C.F.R. § 1.213(c).

If the Office considers this application to be abandoned, then Applicant hereby requests revival of the application. Applicant hereby states that the entire delay in notifying the Office as in the Notice at Tab A of the international filing until the filing of this petition was unintentional.

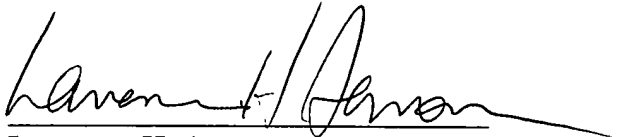
If the Office does not consider this application to be abandoned, then Applicant requests refund of the enclosed petition fee. Further, even if the Office considers this

application to be abandoned, Applicant respectfully requests the Office to waive and refund the enclosed petition fee due to the ambiguity in Form PTO/SB/36 (10-01).

Respectfully submitted,

**MCDONNELL BOEHNEN  
HULBERT & BERGHOFF**

Date: 5/9/03

By:   
Lawrence H. Aaronson  
Reg. No. 35,818



**SUPPLEMENTAL NOTICE OF  
FOREIGN OR INTERNATIONAL FILING**

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Applicant filed International Patent Application No. PCT/US02/36055 on November 12, 2002.

If any further notice of foreign or international filing is or will be required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(C), Applicant hereby provides such notice.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No.: Sprint 1811; MBHB 01-1713)

In re Application of:

Von K. McConnell

Serial No.: 10/071,833

Filed: February 7, 2002

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Data-Publication by a Signaling Server

Art Unit: 2151

Examiner: TBA

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MAY 13 2003

OFFICE OF PETITIONS

Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above-identified patent application:

- ☒ Request To Rescind Previous Non-publication Request; and  
☒ Return Postcard

2. No fees are due at this time.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 210765. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** I hereby certify that I directed that this Transmittal Letter and the correspondence identified above be deposited with the United States Postal Service as "First Class Mail," addressed to the Commissioner for Patents, Washington, DC 20231, on November 11, 2002.

By:

Lawrence H. Aaronson  
Registration No. 35,818

#6



**REQUEST TO RESCIND PREVIOUS  
NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number: 10/071,833

Filing Date: February 7, 2002

First Named Inventor: McConnell

Title: Method and System for Facilitating Services in a  
Communication Network Through Data-Publication by a  
Signaling Server

Atty Docket Number: 1811

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

Applicants therefore wish that the application be published promptly after the expiration of 18 months from the earliest filing date of the present application for which a benefit is sought under Title 35, U.S.C.

**USPTO CUSTOMER NUMBER**



**28005**

PATENT TRADEMARK OFFICE

**Sprint Corporation**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name Lawrence H. Aaronson

Reg. No. 35,818

Signature

Date

November 11, 2002

**RECEIVED**

**MAY 13 2003**